

REMARKS

INTRODUCTION

In accordance with the foregoing, claims 1 and 9 have been amended. Claims 1, 5-7, 9, 10 and 15-17 are pending in the application.

CLAIM REJECTIONS

Claims 1, 5, 7, 9, 10, 15 and 17 were rejected under 35 USC 102(b) as being anticipated by Masayuki (JP 10-162464) (hereinafter "Masayuki").

Claims 6 and 16 were rejected under 35 USC 103(a) as being unpatentable over Masayuki in view of Bronshvatch et al. (US 5,528,434) (hereinafter "Bronshvatch").

Masayuki discusses a magnetic disk device to surely hold magnetic disks by using a common disk retainer even when the number of mounting magnetic disks is changed. In Masayuki, a hub 38 of a spindle motor 18 is mounted with plural magnetic disks 16a and 16b in the layer state. The disk retainer 50 in a discoid shape is screw-fitted on the upper end of the hub by fixing screws 52. The disk retainer is formed with a 1st holes for obtaining clamp force, required for mounting two magnetic disks and a 2nd holes for obtaining clamp force required for mounting three magnetic disks. The 2nd holes are provided in positions separated from the 1st holes as against the center of the disk retainer respectively. The disk retainer is fixed to the hub by screwing it with fixing screws through the 1st or 2nd holes in accordance with the number of mounting magnetic disks. Masayuki, English Abstract.

Claims 1 and 5-7

Amended claim 1 recites: "...a plurality of screw coupling holes into which screws are inserted to be coupled to an upper end portion of the spindle motor and provided at intervals of a predetermined distance along a uniform circumference inside the stress distribution portion..." Claim 1 has amended to amend the transitional phrase of the preamble from "comprising" to "consisting of." As discussed in MPEP 2111.03, the transitional phrase "consisting of" excludes any element, step, or ingredient not specified in the claim. In contrast to claim 1, Masayuki discusses a disk retainer that is formed with 1st holes for obtaining clamp force, required for mounting two magnetic disks, and 2nd holes for obtaining clamp force required for mounting three magnetic disks. The 2nd holes are provided in positions separated from the 1st holes as

against the center of the disk retainer respectively. The disk retainer is fixed to the hub by screwing it with fixing screws through the 1st or 2nd holes in accordance with the number of mounting magnetic disks. See Masayuki, English Abstract. In contrast to Masayuki, claim 1 recites a disk clamp including only a single set of screw coupling holes provided at intervals of a predetermined distance along a uniform circumference inside the stress distribution portion.

As Masayuki provides for 1st and 2nd screw holes 54 and 56 at differing radii R0 and R1, it is respectfully submitted that claim 1 patentably distinguishes over Masayuki. Claims 5-7 are dependent on claim 1, and are therefore believed to be allowable for the foregoing reasons.

Withdrawal of the foregoing rejections is requested.

Claims 9, 10 and 15-17

Amended claim 9 recites: "...an inner portion having a plurality of apertures arranged along a uniform circumference at predetermined intervals..." Claim 9 has amended to amend the transitional phrase of the preamble from "comprising" to "consisting of." As discussed in MPEP 2111.03, the transitional phrase "consisting of" excludes any element, step, or ingredient not specified in the claim. In contrast to claim 9, Masayuki discusses a disk retainer that is formed with 1st holes for obtaining clamp force, required for mounting two magnetic disks, and 2nd holes for obtaining clamp force required for mounting three magnetic disks. The 2nd holes are provided in positions separated from the 1st holes as against the center of the disk retainer respectively. The disk retainer is fixed to the hub by screwing it with fixing screws through the 1st or 2nd holes in accordance with the number of mounting magnetic disks. See Masayuki, English Abstract. In contrast to Masayuki, claim 9 recites a disk clamp including only a single set of apertures arranged along a uniform circumference at predetermined intervals.

As Masayuki provides for 1st and 2nd screw holes 54 and 56 at differing radii R0 and R1, it is respectfully submitted that claim 9 patentably distinguishes over Masayuki. Claims 10 and 15-17 are dependent on claim 9, and are therefore believed to be allowable for the foregoing reasons.

Withdrawal of the foregoing rejections is requested.

CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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